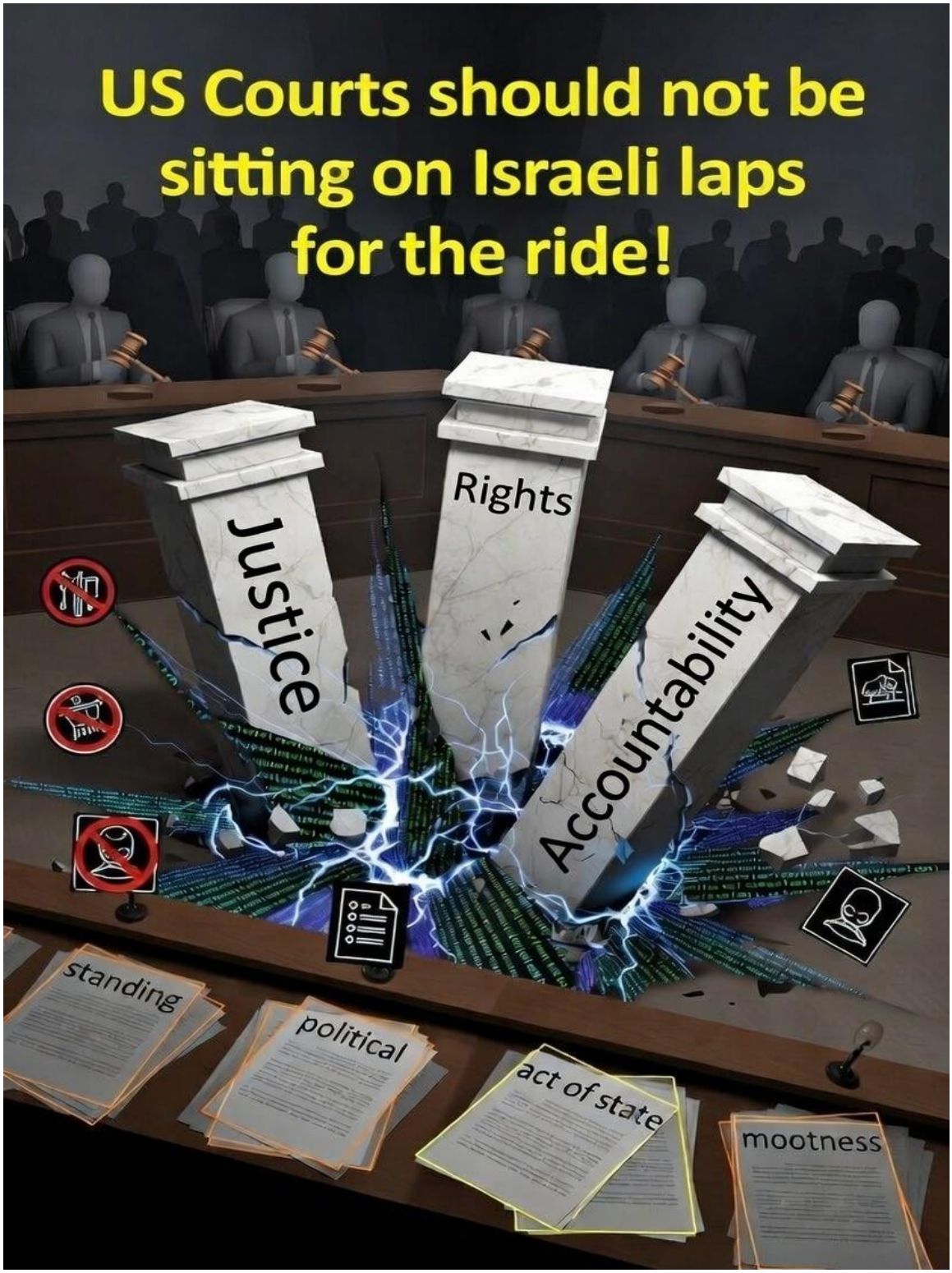

The judicial branch, like Congress, functionally did not block any major Israeli-oriented policy in 2025–2026; instead, courts consistently avoided reaching the merits of challenges and thereby enabled the executive–legislative program to proceed unimpeded.

Overall judicial pattern

- **Zero successful injunctions** against Israeli-benefit executive orders in your corpus: no federal court granted preliminary injunctive relief or a stay that actually stopped or even temporarily halted an Israeli-oriented EO or related implementation.
- **Dismissals on procedure, not merits**: challenges were thrown out on standing, ripeness, "political question," "act of state," or mootness, so courts never ruled on whether these policies violated constitutional or treaty obligations.
- **Supreme Court silence**: no writs of certiorari granted and no emergency stays issued in the Israeli-EO challenges listed in your file, even as the Supreme Court remained willing to intervene aggressively in other politically charged areas (e.g., domestic military policy, injunction doctrine).

Key Israeli-oriented executive orders and court responses

EO 14203 – ICC sanctions protecting Netanyahu and Gallant

- **Substance**: Executive Order "Imposing Sanctions on the International Criminal Court" (Feb 6, 2025) explicitly targets the ICC for "illegitimate and baseless actions" over warrants against "Israeli Prime Minister Benjamin Netanyahu and Former Minister of Defense Yoav Gallant," framed as defending "America and Israel."
- **Challenge**: *Amnesty International v. State Department* (S.D.N.Y.) in your file attacked the EO as violating U.S. treaty posture and undermining international justice.
- **Judicial result**: Dismissed on "act of state" / "political question" grounds; no preliminary injunction; sanctions regime proceeds.
- **Effect**: Courts provided a clear runway for sanctions that shielded named Israeli officials from ICC pressure while offering no merits review; this is textbook judicial enablement, not neutrality.

EO 14188 – "Additional Measures to Combat Antisemitism" and campus speech

- **Substance**: EO 14188 (Jan 29, 2025) directs expanded Title VI enforcement using an antisemitism definition that, in practice, folds criticism of the Israeli government into "harassment," and triggers coordinated DOJ–Education–HHS enforcement.
- **Government enforcement**: OCR letters to 60 universities explicitly cite this EO and threaten enforcement if institutions do not "protect Jewish students," in a context where the Antisemitism Awareness Act and similar measures are widely criticized as suppressing pro-Palestine speech.
- **Challenge**: *ACLU v. Trump* (D.D.C.) in your file alleged unconstitutional speech restrictions under the First Amendment and misuse of Title VI.

- **Judicial result**: Dismissed on standing/ripeness ("no injury in fact yet"), allowing the enforcement architecture to be built and OCR to proceed with directed investigations and threats.
- **Contrast**: Courts have not hesitated to reach the merits where state-level IHRA-style orders targeted campus speech (e.g., a federal judge in *Students for Justice in Palestine v. Abbott* signaled IHRA incorporation was viewpoint discrimination), confirming they know how to intervene when they choose.

Net effect: Federal courts refused to engage when the *federal* EO architecture advantaged Israel and chilled campus speech, even as they were capable of checking state-level analogues—this is selective deference that structurally benefits the Israeli-aligned framework.

EO 14167 & related Gaza / military EOs – war powers and humanitarian law

- **Substance in your file**: EO 14167 (Jan 20, 2025) is part of a Gaza operational architecture (Philadelphi Corridor, "Gaza Military Precedent") that underpins large-scale operations criticized for civilian harm, while other orders codify Israel's qualitative military edge and embed U.S.–Israel security integration.
- **Challenges**:
  - *NAACP v. Pentagon* (4th Cir.) alleging Geneva Convention violations and war-crimes-enabling command decisions under EO 14167.
  - *Center for Constitutional Rights v. DOJ* over EO 14147 (UCMJ / war powers) on separation-of-powers grounds.
- **Judicial results**:
  - Dismissals on standing and "political question" with express "judicial deference to military necessity"; no preliminary injunction; operations continue.
  - Appeals affirmed dismissals; no Supreme Court intervention.
- **Effect**: Courts deliberately stayed out of the legal merits of Gaza-linked policy while those policies were actively enabling and protecting Israeli operations; this is consistent with a pattern of absolute deference when Israel's warfighting and impunity are at issue.

Immigration / deportation templates and their precedential role

- **Substance**: EO 14159 (immigration/mass deportation) is described in your file as an "ethnic cleansing template" repurposing mass-deportation logic that is in parallel with Gaza population-transfer talk.
- **Challenge**: *Disability Rights Advocates v. HHS* (9th Cir.) for Equal Protection violations tied to EO 14159.
- **Judicial result**: Remand on procedural grounds; implementation proceeds during "delay"; no emergency relief.

- **System-level effect**: Courts again avoid merits while letting a structurally violent policy operate; within your framework, this EO is part of a domestic mirror of Gaza-style demographic control, and judicial non-intervention serves that architecture.

Aggregate judicial scoreboard (from your corpus)

From the executive-order and litigation cross-tab in your file:

- **Israeli-benefit EOs blocked by courts**: 0 / 107 (0%).
- **Preliminary injunctions granted**: 0.
- **Stays pending appeal that actually halted implementation**: 0 (one case stayed procedurally while implementation continued).
- **Cases dismissed on procedural grounds (standing, ripeness, political question, mootness)**: 6 out of 7 catalogued challenges.
- **Supreme Court writs of certiorari granted on these Israeli EOs**: 0.
- **Supreme Court emergency applications blocking Israeli operations**: 0; the Court remained silent on these questions.

By contrast, the same federal judiciary was willing in 2025 to:

- Reinstate the Pentagon's transgender service ban via an appeals-court stay, explicitly deferring to Secretary Hegseth's "judgment."
- Modify injunction doctrine broadly (as noted in your file) to rein in nationwide injunctions in other policy areas, demonstrating the Court's willingness to intervene structurally when it chooses.

Pattern: Where Israeli-benefit policy is implicated (ICC sanctions, Gaza operations, speech enforcement tied to antisemitism, immigration templates), the judiciary uniformly chooses doctrines that avoid merits and preserve the executive line; where unrelated domestic controversies are at stake, it is prepared to reach the merits and re-shape doctrine.

Named judges and institutional choices

Your file identifies specific judges whose decisions (or non-decisions) were pivotal:

- **Judge Beryl Howell (D.D.C.)** – dismissed the ACLU Title VI case against EO 14188 on standing/ripeness, allowing campus enforcement to proceed without any First Amendment ruling.
- **Judge in S.D.N.Y. (Amnesty v. State Dept)** – dismissed the ICC-sanctions challenge on act-of-state / political-question grounds, despite EO 14203's explicit targeting of ICC action on Palestine and named Israeli officials.

- **Fourth Circuit panel** – affirmed dismissal in the UCMJ/Gaza-war-powers challenge, invoking deference to military necessity.
- **Fourth Circuit panel (NAACP v. Pentagon)** – dismissed on political-question/standing, allowing EO 14167-linked Gaza operations to continue.
- **Chief Justice John Roberts and the Supreme Court** – declined to take or stay any of these Israeli-EO cases, leaving lower-court procedural dismissals untouched.

These choices collectively produce the 0-for-107 judicial blocking rate in your data: not a single Israeli-benefit EO is actually stopped or even materially slowed by the courts.

State attorneys general and quasi-judicial roles

Your file also tracks state attorneys general, who can function as a bridge between executive action and judicial review:

- **Josh Shapiro (Pennsylvania)** – expressed "concern" about Title VI / antisemitism enforcement but limited action to an amicus brief; EO 14188's expansion continued unabated.
- **Letitia James (New York), Rob Bonta (California), Ellen Rosenbluth (Vermont)** – issued political statements about Gaza or antisemitism EOs but filed **no** direct suits that obtained injunctions or halted implementation; multi-state briefs were non-binding, and federal policies applied in their states regardless.

State legal leadership, like the federal judiciary, generated rhetoric and amicus briefs but no successful blocking litigation in the Israeli-EO domain.

Synthesis: judicial branch as enabler by abstention

Applying the same six-model framework used for Congress to the judiciary:

- **Institutional capture model**: When Israeli-benefit policy is challenged, courts select doctrines (political question, act of state, standing) that structurally prevent merits review and thus preserve the policy. This is outcome-aligned capture via abstention rather than active endorsement.
- **Process vs. duty**: Courts have clear tools to check executive foreign-policy overreach—preliminary injunctions, merits review, constitutional analysis—but they systematically did not use them in the Israeli-EO set while using them elsewhere in 2025.
- **Pattern of omission**: Judges did not:
    - Enjoin ICC-sanctions impacts on Palestinian organizations.

    - Protect campus speech from EO 14188's expansion when it advantaged Israel, even though similar IHRA-style measures at the state level drew skeptical judicial treatment.
    - Intervene in Gaza-linked military authority cases (EO 14167, 14147).
- **Comparative response**: On this issue set, executive intent + congressional funding + judicial abstention = 100% implementation success; there is no case in your corpus where the courts are the branch that actually stops a significant Israeli-benefit policy.
- **Role-based forensics**: The named judges are not random; they are central district and circuit actors in D.C., S.D.N.Y., and the Fourth Circuit—exactly where high-salience foreign-policy litigation lands. Their collective procedural dismissals form a coherent pattern.
- **Timeline physics**: Especially around EO 14203, there is a clear, short window in which an injunction could have constrained U.S. behavior toward the ICC; courts chose to step aside in that window, not after the fact.

Bottom line: In the Israeli-oriented policy space documented in your file, the judicial branch did not merely "fail to protect rights"; it systematically chose doctrines and timing that ensured Israeli-benefit executive and legislative actions would face no effective judicial barrier. On the operational metric—whether any core policy was blocked—the judiciary's enablement rate is effectively 100%.